Remarks

The Examiner's Office action mailed December 2, 2010, which rejected pending claims 1-17, 19, 21-44, 102, and 107-134 and objected to claims 18 and 20 has been reviewed. Applicants appreciate and acknowledge the Examiner's indication of allowable subject matter in claims 45-58 and 60-101. Several claims have been amended. In view of the amendments and the following remarks, Applicants respectfully submit that the application is in condition for allowance.

Examiner's Response to Previous Arguments

As an initial matter, Applicants thank the Examiner for the Response to Applicants' Remarks. The Examiner stated that he did not find the applicant's previous argument to be persuasive, although the rejection has been revised to address the previously submitted amended claim limitations. The Examiner asserts that the claimed elements are not defined in the specification in any limiting manner. Applicants respectfully disagree.

The Examiner further states that "Though the applicant's remarks are persuasive with respect to the interpretation provided in the previous rejection, the amended claims still do not patentably distinguish from the Wiser reference. In Wiser, the Merchant Server 132 reads on the claimed stream routing processor and the combination of the Content Manager 112 and Deliver Server 118 read on the stream castor." (See Office action, page 2.) Applicants respectfully disagree.

As explained in more detail below, the combination of the content manager and delivery server as described in Wiser fails to teach all of the limitations set forth in the claims. In addition, Wiser also teaches away from such a combination and such a combination would render the disclosure of Wiser unsatisfactory for its intended purpose.

Claim rejections under 35 U.S.C. § 102

The Examiner rejected claims 1-44, 102, and 107-134 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Number 6,385,596 to Wiser et al., ("Wiser"). Applicants submit that Wiser fails to disclose, teach, or suggest each and every element of Applicants' claims and, thus, Wiser is not an anticipatory reference under 35 U.S.C. § 102(e).

MPEP § 2131 states: "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." (citing *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).). A claim cannot be rejected under 35 U.S.C. § 102 unless each and every claim limitation is found in the cited reference.

Moreover, unless a reference discloses within the four corners of the document not only all of the limitations claimed but also all of the limitations arranged or combined in the same way as recited in the claim, it cannot be said to prove prior invention of the thing claimed and, thus, cannot anticipate under 35 U.S.C. § 102. *Net MoneyIn, Inc. v. VeriSign*, Inc. 545 F.3d 1359 (Fed Cir. 2008). The Examiner asserts that two separate and distinct components of the Wiser reference must be combined to arrive at the claimed stream castor. Applicants submit that the claimed limitations regarding the stream caster are not found in Wiser; moreover, the limitations alleged to be taught by Wiser are not arranged or combined in the same way as recited in the claims. Therefore, the claims are not anticipated under 35 U.S.C. § 102 by Wiser.

The following is independent claim 1 with underlined portions that are not disclosed, taught, or suggested by the cited reference.

1. A system for streaming media to a viewer for a request for the media, the system comprising:

a stream routing processor executing instructions to:

receive reservation data comprising a valid reservation identification; and

transmit the valid reservation identification; and

a stream caster to:

receive a reservation identification for the request;

receive the reservation data identifying the valid reservation identification from the stream routing processor;

compare the reservation identification to the valid reservation identification to determine if the reservation identification is valid; and

stream at least partially the media to the viewer when the reservation identification is valid.

Regarding claim 1, the Examiner asserts that "Wiser teaches a system for streaming media to a viewer for a request for the media, the system comprising: a stream routing processor (merchant server 132) executing instructions to: receive reservation data comprising a valid reservation identification (col. 16, lines 44-48, the merchant server would receive both valid and non-valid requests from the user); and transmit the valid reservation identification (col. 16, line 66-col. 17, line 21)." (See Office action at page 3). Applicants submit that the cited portions of Wiser does not teach receiving reservation data comprising a valid reservation identification as claimed in independent claim 1.

The cited portion Wiser does not disclose a stream routing processor to receive reservation data. Rather the cited portion of Wiser recites: "The HTTP server 122 forwards 904 the purchase request data to a merchant server 132 to initiate authorization for payment for the requested media data file 200. A preferred implementation uses a secure connection to transfer this data." (See Wiser, column 16, lines 44-48).

The cited portion generally describes an HTTP server that forwards purchase request data to a merchant server to initiate authorization for payment for a requested media data file. Wiser teaches that purchase request data is used to initiate authorization for payment of a requested media file. Wiser describes the purchase request data as a URL that includes the media ID of the song to be purchased. (See Wiser, column 16, lines 37-39). A media ID "uniquely identifies the media data file." (See Wiser, column 8, line 30).

Conversely, claim 1 requires a stream routing processor to receive reservation data comprising a valid reservation identification. A purchase request, as taught in Wiser, is not the same as a valid reservation identification. Whether a request to purchase media in Wiser is valid or invalid is irrelevant since a request to purchase is not a valid reservation identification.

As such, Wiser does not disclose, teach, or suggest a receiving reservation data comprising a valid reservation identification, as claimed in independent claim 1. For the same reason, Wiser does not teach a stream routing processor to transmit the valid reservation identification, though col. 16, line 66-col. 17, line 21 of Wiser does not disclose a purchase request. So it is unclear as to which portion of this citation the Examiner is relying on to disclose the claimed limitation. Thus, Applicants respectfully request clarification of the same.

Applicants submit that Wiser does not teach, suggest, or disclose a stream caster as claimed in independent claim 1. The Examiner asserts that the "content manager 112 and deliver server 118 combine to perform the functions of the claimed stream caster and therefore are a "stream caster" as defined by the applicant." (See Office action, page 3). Applicants respectfully disagree.

With regard to the limitation that the stream caster receives the reservation identification for the request, the Examiner cited col. 19, lines 4-7 of Wiser. The Examiner equated a keyed MAC of the voucher ID in Wiser to the claimed reservation identification for the request. Applicants submit that the Examiner has incorrectly equated the keyed MAC to the claimed reservation identification for the request. The keyed MAC is a message authentication code of the voucher ID and consumer certificate. Wiser, at col. 8, lines 34-38, recites: "A receipt 306 is a strong random number generated by the content manager 112 which is used to create a message authentication code (MAC) of the voucher ID and consumer certificate to bind the delivery of the media data to the purchase transaction. Preferably, the MAC is a keyed message authentication code as defined in Internet RCF 2104." Thus, the keyed MAC is not a reservation identification of the request, i.e. an identification of a reservation for the request for media.

Moreover, the voucher ID is created by the content manager. "A media voucher 300 includes a unique voucher ID 302 which is generated by the content manager." (See Wiser, col. 8, lines 28-29). The Examiner asserts that the combination of the content manager and delivery server reads on the claimed stream caster. (See Office action, page 2). However, if the content manager is equated to the claimed stream caster, it certainly does not "receive" the voucher ID. Instead, Wiser discloses that the content manager creates the voucher ID. For the reasons stated above, Wiser does not disclose, teach, or suggest a stream caster to receive the reservation identification for the request.

With regard to the limitation that the stream caster receives the reservation data identifying the valid reservation identification from the stream routing processor, the Examiner cited col. 16, line 66-col.17, line 21 of Wiser. However, as mentioned above, the Examiner relies on the purchase request to teach the claimed valid reservation identification, which Applicants disputed above. Col. 16, lines 44-48 of Wiser recites: "the merchant server would receive both valid and non-valid requests from the user." Col. 16, line 66-col.17, line 21,

however, does not disclose the purchase request relied upon by the Examiner. Thus, it is unclear what portion of col. 16, line 66-col.17, line 21 the Examiner is relying on for disclosing this claim limitation. As such, Applicants traverse the rejection and request clarification. Applicants submit that col. 16, line 66-col.17, line 21 does not disclose, teach, or suggest a stream caster to receive the reservation data identifying the valid reservation identification from the stream routing processor.

With regard to the limitation that the stream caster compares the reservation identification to the valid reservation identification to determine if the reservation identification is valid, the Examiner cited col. 19, lines 11-32 of Wiser. The Examiner equates a keyed MAC of the voucher ID as the reservation identification, which is included in a message transmitted from the media player to the delivery server. (See Office action, page 3, stating "receive a reservation identification for the request (col. 19, lines 4-7)"). As presented above, the keyed MAC is a message authentication code of the voucher ID and consumer certificate. Thus, the keyed MAC is not a reservation identification for the request, as claimed.

Moreover, even if the Examiner's assertion that the keyed MAC of the voucher ID is a reservation identification were accurate, nothing in Wiser discloses comparing the keyed MAC of the reservation identification to the purchase request (identified by the Examiner as being the claimed valid reservation identification) to determine if the keyed MAC of the voucher ID is valid. Conversely, col. 19, lines 11-32 of Wiser disclose using a receipt token to verify the MAC encoded voucher ID and other data. Specifically, col. 19, lines 15-19 recite: "If the voucher ID is verified, the content manager 112 encrypts 954 the song's media key with the public key of the media player 116. In this manner, the media becomes specifically and individually licensed to the consumer; the media data file 200 is now referred to as the licensed media." Thus, Wiser does not disclose, teach, or suggest a stream caster to compare the reservation identification to the valid reservation identification to determine if the reservation identification is valid.

With regard to the limitation that the stream caster streams at least partially the media to the viewer when reservation identification is valid, the Examiner cited col. 19, lines 38-43 of Wiser. However, as discussed above, the keyed MAC of Wiser is never validated against a valid reservation identification. Conversely, the claimed reservation identification is validated against a valid reservation identification, thus this limitation cannot be disclosed in Wiser.

Without admitting agreement with the Examiner's characterization of the functions performed by the content manager and the delivery server, Applicants submit that the Examiner has improperly combined the functionality of the content manager and delivery server, as Wiser explicitly teaches away from such a combination. Applicants point out that a prior art reference must be considered in its entirety, i.e., as a whole, including portions that would lead away from the claimed invention. *W.L. Gore & Associates, Inc. v. Garlock, Inc.*, 721 F.2d 1540, 220 USPQ 303 (Fed. Cir. 1983). Moreover, if the proposed modification would render the prior art invention being modified unsatisfactory for its intended purpose, then there is no suggestion or motivation to make the proposed modification. MPEP 2143.01(v) (citing In re Gordon, 733 F.2d 900, 221 (Fed. Cir. 1984). Therefore, it would not have been obvious to combine the content manager and deliver server, as suggested by the Examiner.

Wiser describes the distribution of products in online commerce has having "two distinct phases of purchase and delivery." (See Wiser, column 1, lines 14-15). Column 3, lines 20-31 of Wiser recite:

> "Secure distribution of audio is provided by three aspects of the present invention. First, unlike conventional media delivery systems, the present invention supports both phases of distribution online: the commercial phase of a purchase transaction, such as authentication of the purchaser and payment, and the delivery of the purchased media itself. This aspect of the online music distribution system is provided by having the content manager control the storage of the audio data in the media data file system, and manage the commercial aspects of a purchase or preview transaction with the purchaser. On the other hand, the actual delivery of the audio data is managed by one of the delivery servers."

Furthermore, column 6, lines 29-38 of Wiser recite:

> "The present invention separates the management and administration of the purchase of the media content from the delivery of that media content to purchasers. This separation is supported in two ways. First, the administration and management of all purchases and other transactions is handled primarily by the content manager 112, and the delivery of the purchased media content is provided by the delivery servers 118. Second, three distinct data objects are used to encapsulate the information used in various stages of the various transactions." (Emphasis added).

Applicants submit that Wiser teaches an online music distribution system that separates the two distinct phases of online distribution. Wiser explicitly separates the management and

administration of purchasing media content from the delivery of that media content. As such, Wiser teaches away from combining the content manager and the delivery server, as suggested by the Examiner. Moreover, combining the content manager with the delivery server would make the Wiser system unsatisfactory for its intended purpose of providing secure distribution where the content manager controls the storage of the media and manages the commercial aspects of a purchase or preview transaction, while the actual delivery of the audio data is managed separately by one of the delivery servers. Wiser teaches that such a separation is desirable as an "an online commerce system is itself an inducement to `crackers` to attempt to break the security controls of such a system and gain access thereto… Further, if the online music distribution system is compromised, it is desirable that the underlying media itself be secure against unauthorized copying." (See Wiser, column 1, lines 58-65).

Applicants submit that Wiser teaches a separation between the content management components and the delivery components that store the media. There is no suggestion or motivation to combine the two sets of components, thus any such combination would be non-obvious in view of Wiser. Therefore, Wiser fails to teach, disclose, or suggest a stream caster to receive a reservation identification for the request, receive the reservation data identifying the valid reservation identification from the stream routing processor, compare the reservation identification to the valid reservation identification to determine if the reservation identification is valid, and stream at least partially the media to the viewer when reservation identification is valid as claimed in independent claim 1.

For at least the reasons discussed above, Applicants submit that Wiser not only fails to teach or suggest each and every element of claim 1, but the cited references does not disclose all of the limitations arranged or combined in the same way as recited in claim 1. Moreover, such a combination would not be obvious in view of Wiser. Thus, independent claim 1 is not anticipated by Wiser nor rendered obvious in view of Wiser.

Claim 10 is patentable over Wiser under 35 U.S.C. § 102(e). The following is claim 10 with underlined portions that are not disclosed, taught, or suggested by the cited reference.

10. A switch for streaming media to a viewer for requested media, the switch comprising:

a stream routing processor executing instructions to:

receive signaling inquiring if the switch can stream the requested media;

determine if the switch is configured to stream the requested media; and

receive reservation data comprising a valid reservation identification when the switch is configured to stream the media; and

a stream caster to:

receive a reservation identification for the requested media;

receive from the stream routing processor the reservation data identifying the valid reservation identification;

compare the reservation identification to the valid reservation identification to determine if the reservation identification is valid; and

stream at least partially the requested media to the viewer when the reservation identification is valid.

The remarks made above with respect to claim 1 and the disclosures of Wiser similarly apply to claim 10. With respect to claim 10, Wiser fails to teach, disclose, or suggest a stream routing processor and a stream caster as claimed. The Examiner states that the stream caster of claim 10 is rejected for the same reasons provided for the rejection of claim 1. As presented above, Wiser actually teaches away from such a combination, therefore Wiser does not anticipate the stream caster as claimed. Similarly, it would not have been obvious to combine the content manager and the delivery server as such a combination would render Wiser unsatisfactory for its intended purpose. Therefore, Wiser fails to teach, disclose, or suggest a stream routing processor to receive reservation data or a stream caster to receive a reservation identification for the requested media, receive from the stream routing processor the reservation data identifying the valid reservation identification, compare the reservation identification to the valid reservation identification to determine if the reservation identification is valid, and stream at least partially the requested media to the viewer when the reservation identification is valid as claimed in independent claim 10.

Moreover, as set forth in claim 10, the stream caster is a part of a switch. Applicants point out that previously presented claim 10 recited that the switch comprised a stream caster. Thus, this is not new matter. The Examiner does not identify a switch in Wiser, nor does the

Examiner identify a switch in any reference. As such, the Examiner has not identified all the elements of claim 10 within the four corners of a single document nor are all of the limitations arranged or combined in the same way as recited in the claim, thus Wiser cannot anticipate claim 10 under 35 U.S.C. § 102. Moreover, claim 10 is not obvious in view of Wiser.

Claim 102 is patentable over Wiser under 35 U.S.C. § 102(e) because the underlined portions of independent claim 102 below are not disclosed, taught, or suggested by the cited references.

102. A switch for streaming media to a viewer comprising:

a stream caster to accept a session from the viewer to stream at least partially a requested media upon receiving and validating a reservation identification using a valid reservation identification, wherein validating the reservation identification comprises comparing the reservation identification to the valid reservation identification at the stream caster to determine if the reservation identification is valid;

a stream routing processor executing instructions to:

determine if the stream caster is configured to stream the requested media,

receive reservation data comprising the valid reservation identification when the stream caster is configured to stream the requested media, and

transmit the valid reservation identification to the stream caster; and

a switch controller to monitor the stream caster during streaming and to notify the stream routing processor of a status of the stream caster.

The remarks made above with respect to claims 1, 10, and the disclosure of Wiser similarly apply to claim 102. With respect to claim 102, Wiser fails to teach, disclose, or suggest a stream caster or a stream routing processor as claimed. As presented above, Wiser actually teaches away from such a combination, therefore Wiser does not anticipate the stream caster as claimed. Similarly, it would not have been obvious to combine the content manager and the delivery server as such a combination would render Wiser unsatisfactory for its intended purpose. In addition, Wiser also does not teach, disclose, or suggest a stream caster or a stream routing processor is a part of a switch, as claimed. Nothing in Wiser teaches a stream caster to

accept a session from a viewer to stream at least partially a request media upon receiving and validating a reservation identification using a valid reservation identification. Nor has the Examiner offered a citation in Wiser for this limitation.

Further, col. 15, lines 1-9 of Wiser disclose maintaining a list of delivery servers with which the content manger operates. It does not disclose a switch controller to monitor the stream caster and notify the stream routing processor of a status of the stream caster. Therefore, Wiser fails to teach, disclose, or suggest a switch with a stream routing processor and a stream caster as claimed in claim 102. Therefore, claim 102 is not anticipated by Wiser nor rendered obvious in view of Wiser.

Claim 107 is patentable over Wiser under 35 U.S.C. § 102(e) because the underlined portions of independent claim 107 below are not disclosed, taught, or suggested by the cited references.

107. A method for streaming media from a switch comprising:

determining if a stream caster of the switch is configured to stream a requested media;

receiving reservation data comprising a valid reservation identification at the stream caster; and

accepting a session to stream at least partially the requested media upon receiving and validating a reservation identification using the valid reservation identification at the stream caster, wherein validating the reservation identification comprises comparing the reservation identification to the valid reservation identification at the stream caster to determine if the reservation identification is valid.

The remarks made above with respect to claims 1, 10, and 102 and the disclosure of Wiser similarly apply to claim 107. Wiser does not teach, disclose, or suggest a stream caster or a switch as claimed. Further, nothing in Wiser teaches accepting a session to stream at least partially the requested media upon receiving and validating a reservation identification using the valid reservation identification at the stream caster. Nor has the Examiner offered a citation in Wiser for this limitation. Therefore, with respect to claim 107, Wiser fails to teach, disclose, or suggest determining if a stream caster of the switch is configured to stream a requested media, receiving reservation data comprising a valid reservation identification at the stream caster, and

accepting a session to stream at least partially the requested media upon receiving and validating a reservation identification using the valid reservation identification at the stream caster, wherein validating the reservation identification comprises comparing the reservation identification to the valid reservation identification at the stream caster to determine if the reservation identification is valid. Therefore, claim 107 is not anticipated by Wiser nor rendered obvious in view of Wiser.

Claim 130 is patentable over Wiser under 35 U.S.C. § 102(e) because the underlined portions of independent claim 130 below are not disclosed, taught, or suggested by the cited references.

130. A method for streaming media from a switch comprising:
receiving at a stream caster of the switch reservation data comprising a valid reservation identification;
comparing a reservation identification received at the stream caster to the valid reservation identification to determine if the reservation identification is valid; and
terminating an attempted session to stream requested media upon determining that the reservation identification is not valid.

The remarks made above with respect to claims 1, 10, and 102 and the disclosure of Wiser similarly apply to claim 130. Wiser does not teach, disclose, or suggest a stream caster or a switch as claimed. With respect to claim 130, Wiser fails to teach, disclose, or suggest receiving at a stream caster of the switch reservation data comprising a valid reservation identification, comparing a reservation identification received at the stream caster to the valid reservation identification to determine if the reservation identification is valid, or terminating an attempted session to stream requested media upon determining that the reservation identification is not valid. Therefore, claim 130 is not anticipated by Wiser nor rendered obvious in view of Wiser. Further, Applicants traverse the Examiner's comments on page 4 of the Office action since it is unclear how those comments relate to the limitations of claim 130.

Amended claim 132 is patentable over Wiser under 35 U.S.C. § 102(e) because the underlined portions of independent claim 132 below are not disclosed, taught, or suggested by the cited references.

132. A method for streaming requested media from a switch comprising:

receiving at a stream routing processor signaling inquiring if the switch is configured to stream the requested media;

determining at the stream routing processor if the switch is configured to stream the requested media, and, if so, acknowledging the inquiry;

receiving reservation data at the stream routing processor, the reservation data comprising a valid reservation identification;

receiving a reservation identification at a streaming device of the switch;

comparing the reservation identification received at the streaming device to the valid reservation identification to determine if the reservation identification is valid; and

streaming at least partially the requested media from the streaming device when the reservation identification is determined to be valid.

The remarks made above with respect to claims 1, 10, and 102 and the disclosures of Wiser similarly apply to claim 132. Applicants have amended claim 132 to clarify that the streaming device also streams at least partially the requested media. With respect to claim 132, nothing in Wiser discloses acknowledging the inquiry if the switch is configured to stream the requested media. In addition, Wiser fails to teach, disclose, or suggest receiving reservation data at the stream routing processor where the reservation data comprises a valid reservation identification, receiving a reservation identification at a streaming device of the switch, comparing a reservation identification received at the streaming device to the valid reservation identification to determine if the reservation identification is valid, or streaming at least partially the requested media from the streaming device when the reservation identification is determined to be valid . Moreover, Wiser fails to disclose a switch as claimed. Therefore, claim 132 is not anticipated by Wiser nor rendered obvious in view of Wiser.

Claim 133 is patentable over Wiser under 35 U.S.C. § 102(e) because the underlined portions of independent claim 133 below are not disclosed, taught, or suggested by the cited references.

133. A method for streaming media to a viewer comprising:

determining if a streaming device of a switch is configured to stream requested media, and, if so, receiving reservation data comprising a valid reservation identification and transmitting the valid reservation identification; and

accepting a session from the viewer at the streaming device to stream at least partially the requested media upon receiving and validating a reservation identification using the valid reservation identification at the streaming device, wherein validating the reservation identification comprises comparing the reservation identification to the valid reservation identification at the streaming device to determine if the reservation identification is valid.

The remarks made above with respect to claims 1, 10, and 132 and the disclosure of Wiser similarly apply to claim 133. With respect to claim 133, nothing in Wiser discloses receiving reservation data comprising a valid reservation identification and transmitting the valid reservation identification if the streaming device of the switch is configured to stream the requested media. In addition, Wiser fails to teach, disclose, or suggest accepting a session from the viewer at the streaming device to stream at least partially the requested media upon receiving and validating a reservation identification using the valid reservation identification at the streaming device, wherein validating the reservation identification comprises comparing the reservation identification to the valid reservation identification at the streaming device to determine if the reservation identification is valid. Therefore, claim 133 is not anticipated by Wiser nor rendered obvious in view of Wiser.

Claim 134 is patentable over Wiser under 35 U.S.C. § 102(e) because the underlined portions of independent claim 107 below are not disclosed, taught, or suggested by the cited references.

134. A method for streaming media from a switch comprising:

determining at a stream routing processor if a streaming device of the switch is configured to stream requested media;

receiving reservation data comprising a valid reservation identification at the stream routing processor and transmitting the valid reservation identification to the streaming device;

accepting a session to stream at least partially the requested media upon receiving and validating a reservation identification using the valid reservation identification at the streaming device, wherein validating the reservation identification comprises comparing the reservation identification to the valid reservation identification at the streaming device to determine if the reservation identification is valid; and

monitoring the streaming device and notifying the stream routing processor of a status of the streaming device.

The remarks made above with respect to claims 1, 10, 102, and 132 and the disclosures of Wiser similarly apply to claim 134. With respect to claim 134, Wiser fails to teach, disclose, or suggest receiving reservation data comprising a valid reservation identification at the stream routing processor and transmitting the valid reservation identification to the streaming device, accepting a session to stream at least partially the requested media upon receiving and validating a reservation identification using the valid reservation identification at the streaming device, wherein validating the reservation identification comprises comparing the reservation identification to the valid reservation identification at the streaming device to determine if the reservation identification is valid. In addition, Wiser fails to teach, disclose, or suggest monitoring the streaming device and notifying the stream routing processor of a status of the streaming device. Wiser also does not teach, disclose, or suggest a streaming device as part of a switch. Accordingly, Wiser cannot teach determining at a stream routing processor if a streaming device of the switch is configured to stream requested media. Therefore, claim 134 is not anticipated by Wiser nor rendered obvious in view of Wiser.

Because claims 1, 10, 102, 107, 130, 132-134 are believed patentable, it is not necessary to discuss patentable limitations of claims depending there from, the reference, or the rejections. The lack of a discussion of patentable limitations of those dependent claims should not be construed to mean that there are not patentable limitations in those dependent claims. Further,

all reasons for patentability of the independent and dependent claims have not necessarily been discussed herein. No implication or construction should be made therefore.

Applicants have no further remarks with regard to any references cited by the Examiner and made of record, whether or not acted upon by the Examiner in the action's rejections, even if specifically identified in the action or any other paper or written or verbal communication. No implication or construction should be drawn about any review of the same by Applicants or Applicants' attorney.

Based on the foregoing, it is submitted that the Applicants' claims 1-58, 60-102, and 107-134 are patentable over the references of record. Issuance of a Notice of Allowance is solicited.

Applicants' attorney welcomes the opportunity to discuss the case with the Examiner in the event that there are any questions or comments regarding the response or the application.

This is intended to be a complete response to the Examiner's Office action mailed on December 02, 2010.

Respectfully submitted,

POLSINELLI SHUGHART PC

/Elton F. Dean III/
Elton F. Dean III, Reg. No. 63,316
100 South Fourth Street, Suite 1000
St. Louis, Missouri 63102
Tel: (314) 622-6632
Fax: (314) 231-1776
Attorney for Applicants